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February 15, 2017

Via ECF

Magistrate Judge Robert M. Levy
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Cando, et al. v. Big City Yonkers, Inc., et al.*
Case No. 1:16-cv-01154 (RML)

Dear Judge Levy:

I am writing, on behalf of Defendants Big City Yonkers, Inc., Autostar Automotive Warehouses, Inc., and QPBC, Inc. and with the approval of counsel for the *Cando* Plaintiffs and the *Robinson* Plaintiffs, to respectfully request that the Court grant a complete stay of this action while those parties pursue private mediation. Earlier this week, the parties agreed to participate in a mediation before Alfred G. Feliu, Esq. in an attempt to reach a global resolution of this case as well as the *Robinson* action currently pending in New York State court (for which we intend to seek a similar stay). The mediation is scheduled to take place on April 26, 2017 at the offices of the undersigned.

For this reason, we respectfully submit that a stay of this action, including a stay on the Court issuing decisions concerning the *Robinson* Plaintiffs' motion to intervene and the *Cando* Plaintiffs' motion for preliminary settlement approval, is appropriate under the circumstances. In the event that a stay is granted, we will submit a joint status report to the Court on or before May 10, 2017, advising Your Honor whether the mediation was successful and including such other information and/or requests as may be proper under the circumstances.

Defendants appreciate Your Honor's consideration of this request.¹

Respectfully submitted,

/s/ Mark S. Goldstein

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¹ For the avoidance of doubt, the undersigned is not seeking a stay of this action with regards to the *Cando* Plaintiffs' claims against Michigan Logistics Inc. and Northeast Logistics, Inc. or the potential resolution that those parties appear to be exploring (*see* ECF No. 123).